



Mayor and City Council members
City of Menlo Park
701 Laurel Street
Menlo Park, CA 94025

Re: Facebook Campus Project **Draft EIR Comments** and
Facebook campus Project **Development Agreement Comments**

Dear Mayor Keith and members of the City Council,

The new Facebook campus is located on San Francisco Bay, almost within the United States' largest urban wildlife refuge, remote from the transit corridor of Menlo Park – the Priority Development Area slated for intensified development.

That an employment opportunity of this magnitude is not being placed on a transit corridor can only be regarded by the Sierra Club and all sustainable development advocates as something more than a disappointment - a huge setback being a more realistic appraisal.



San Francisco Bay is ailing and the south end is currently under the process of an extensive restoration, second only to the restoration of the Everglades in Florida and dependent on the cooperation of bay-fronting cities. Intensifying development along the bay's restored edge is going in the wrong direction and can only hurt this process. In addition, the sites are contiguous to the ecologically sensitive Don Edwards San Francisco Bay Federal Wildlife Refuge, the only habitat in the world for two endangered species as well as "threatened" species, close to becoming endangered.

Facebook is seeking a permit to substantially intensify the allowable land use of the East Campus and, thereby, the value of the property. The West Campus will intensify the existing use of this property.

The two sites, located on the “wrong” side of 101, bring intensified human presence with negative wildlife impacts as well as increased auto traffic, with increased toxic pollutants of heavy metals from brake dust, tire dust, exhausts and nitrogen directly to the edge of the sensitive vegetative habitats and wildlife populations of Don Edwards Wildlife Refuge.

Intensified use of these sites puts more lives and property at risk from flooding as well as seismic failures of buildings and levees. San Mateo County already has more lives and property at risk from flooding than any other Bay Area county. These projects will make that situation even worse. Menlo Park is taking on added financial liability without careful and balanced consideration of the very real costs involved in this inevitable occurrence.

Menlo Park rightly took strong exception to neighboring Redwood City’s proposed intensified development of Redwood City salt ponds, north of 101, along the Wildlife Refuge. In the heady self-congratulations on “landing” Facebook and its jobs, it is still important that Menlo Park give a balanced high priority to the very standards by which it is judging its neighbors. Intensified work places and housing sites are both critically needed on the peninsula. However, there is a shared vision that these are not supposed to be developed at the expense of the health of San Francisco Bay or in hazardous areas.

This is the context within which the two proposed Facebook projects should be viewed by staff and City Council and the citizens of Menlo Park and the entire Bay Area.

We respectfully believe that Menlo Park has a heavy obligation to make sure that Facebook’s proposal for a heavy human footprint on our bay front and our wildlife refuge is mitigated to the benefit of all of the stakeholders –residents around the bay, and nature and the wildlife that we recognize as our equal stakeholders.

Respectfully submitted,



Michael Ferreira, Chair, Conservation Committee
Sierra Club, Loma Prieta Chapter

Attachments: Draft EIR Comments
Development Agreement Comments

CC: Amanda Wallner; Sierra Club Resilient Habitats Campaign
Ginny Laibl, Chapter Chair, Loma Prieta Chapter; Sierra Club
Loma Prieta Chapter, Conservation Committee
Arthur Feinstein, Chair, San Francisco Bay Chapter; Sierra Club
Patricia Piras, San Francisco Bay Chapter; Sierra Club



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Re: Facebook Campus Project Draft EIR Comments

Dear Mayor Keith and members of the City Council,

On behalf of the Sierra Club Loma Prieta Chapter we wish to express our appreciation for this opportunity to present our comments on the Draft Environmental Impact Report (DEIR) that has been produced for the Facebook Campus Projects.

Our Comments are in three parts:

- Wildlife Committee Comments
- Water Committee Comments
- Transportation Committee Comments

**A. Sierra Club Loma Prieta Chapter Water Committee
Facebook Menlo Park Campus EIR Comments**

Comment 1. Project Baseline: East Campus

Although the east campus is already developed, the "base line" for CEQA is for unoccupied buildings and parking lots, and unused sport facilities. Occupation of the East Campus changes the physical condition of the site by adding lights to previously unlit buildings, parking lots and sport fields, and by contributing storm water pollution due to travelling and parked cars. Light pollution and impact on wild birds, storm water runoff impacts, as well as use of water and production of sewage will increase when the buildings are being used. The EIR should describe and analyze these impacts and mitigation should be implemented.

Comment 2. Inadequate Surveys: Biological Information

Existing Conditions and Methodology (pages 3.10-4 and 3.10-12)

The DEIR review of available information on special-status species known to occur in the Project vicinity should include data from surveys by The USGS Western Ecological Research Center (<http://www.werc.usgs.gov/>) and the San Francisco Bay Bird Observatory (<http://www.sfbbo.org/science/index.php>). The EIR should elaborate on the description of the neighboring Don Edwards National Wildlife Refuge and plans to restore the salt ponds near Dumbarton Bridge and to protect sensitive species.

The June 22, 2011 field survey is inadequate. It describes, "*small unidentified birds were observed in the courtyard during the survey, but no other wildlife species appeared to be present during the survey*" (Existing Conditions, East Campus). Existing Conditions for the West Campus include no mention of presence or absence of wildlife species. To determine the existing conditions, an adequate survey needs to be conducted by a qualified biologist to identify the birds and wildlife on-site including signs of wildlife that use the site whether present or not during the time of the survey.

Comment 3: Piecemealing: Sea level rise (Hydrology) - East Campus

The East campus is surrounded by Ravenwood Slough and with the perimeter levees at approximately 8.5 feet above mean sea level – the campus will require protection from Sea Level Rise in the

foreseeable future. The EIR proposes that the City of Menlo Park's "participation in the formulation of a sea level rise adaption strategy would ensure that impacts are less than significant". In many communities around the globe, adaptation to changing sea levels means prohibition of building in areas prone to coastal flooding. For the Project site, long-term occupancy will require substantial effort that would include construction and reinforcement of levees to protect the campus from flooding and/or inundation. Thus, impacts of levee construction, reinforcement and maintenance should be considered an integral part of the project. Ignoring the need to protect the East Campus from sea level rise is a de-facto "piecemealing" of Environmental Review. Impact of levee work should be evaluated by CEQA, including cumulative impacts on the neighboring wetlands and wildlife at the Don Edwards National Wildlife Refuge.

Comment 4: Inadequate Mitigation: Impacts on Bats

BR-1 and C-BR-1 Impacts on Special-Status Species at the Project Site (pages 3.10-13 and 3.10-19)

The DEIR points out that the removal of trees and buildings from the West Campus "could result in the loss of individual bats, bat colonies, or their habitat". The mitigation outlined in the DEIR simply serves to locate and evict bats from the buildings and trees to be removed and does not address the loss of habitat. The significant impact of loss of habitat should be mitigated for by providing suitable alternative roost habitats, such as bat boxes, on the Project site. This mitigation measure was included in the draft EIR for the Mount Umunhum Environmental Restoration and Public Access Project in order to "mitigate the significant impacts to the evicted bat colonies to a less-than-significant level" (page 4.3-23). Please see:

- http://www.openspace.org/plans_projects/downloads/2011.12.12.MtUmNOA_DEIR.pdf

Comment 5: Partial Analysis/Inadequate Mitigation: Impacts of Predators

BR-2 and C-BR-2 Indirect Impacts on Special-Status Species Inhabiting the Adjacent Marshes (pages 3.10-15 and 3.10-19)

The DEIR identifies risk to nesting special-status species such as western snowy plovers and salt marsh harvest mice in the adjacent salt marshes from predation by raptors or other predatory birds. We ask that the EIR evaluate and mitigate potential impacts of predators and scavengers associated with increased human presence.

The project site with the increased occupancy and amenities could provide habitat and food for scavengers and opportunistic predators such as raccoons and ravens. Employees may bring pets to the workplace, and neighbors and employees could potentially feed animals on campus. Encroachment by pets and other predators could have a significant impact to the special-status species inhabiting the adjacent marshes and should be mitigated. Mitigation measures could include:

- education about the surrounding sensitive marsh habitat and threats to native plants and animals
- prohibition of cats or cat feeding stations on the project site
- avoiding dogs off leash on the project site and Bay Trail
- trash systems that do not allow animals to forage or scavenge
- thorough and complete clearing of all groundcovers and low shrubs along the entire perimeter fence, covering the fence and providing hiding places and extensive habitat for opportunistic predators

We ask that devices to deter raptors and crows from perching on structures should be installed on all structures, in both East and West Campuses. For the East Campus, this would be considered a "Public Benefit" mitigation for existing structures.

**Comment 6. Missing Analysis: Loss of Habitat for Western Burrowing Owl
BR-3 and C-BR-3 Loss of Riparian and Other Habitats (pages 3.10-16 and 3.10-20)**

The DEIR should include the Western Burrowing Owl in the list of special-status species known in the vicinity of the Project area. In San Mateo County, burrowing owls have been observed at Inner Bair Island in December of 2011 and historically at the nearby Bayfront Park. Owls have also been observed in Byxbee Park to the South, and breeding populations exist in Mountain View and south along the Bay. Burrowing owls are a California species of special concern with locally declining populations due to habitat loss. Wintering and resident populations forage, roost, and nest in open spaces around the Bay, including non-native grasslands and ruderal habitats.

Surveys for burrowing owls should be conducted on the West Campus site, and the EIR should evaluate the impacts of development on burrowing owls and their remaining habitat.

**Comment 7. Missing analysis: Loss of tree community structure and mature tree habitat
BR-4 and C-BR-4 Impacts to Wildlife Corridors or Nursery Sites (pages 3.10-16 and 3.10-20)**

According to the DEIR, the existing shrubs and trees on the West Campus will be removed and replaced with new landscaping. Planting new trees does not compensate for the loss of three-dimensional avian habitat created by large, mature trees. Moreover, “unhealthy” and dead trees provide valuable food resources (insects) and nesting cavities for a variety of native and migratory birds. The habitat loss associated with the loss of tree age structure and “tree health diversity” due to the replacement of old trees with young, healthy trees should be evaluated in the DEIR and adequately mitigated.

**Comment 8. Inadequate mitigation: Pre-Construction Bird Surveys
BR-4.1 Identify and Protect Nesting Migratory Birds at the West Campus (page 3.10-17)**

The DEIR states that “a survey for nesting birds shall be conducted by a qualified wildlife biologist no earlier than seven days prior to the removal of trees, shrubs, weedy vegetation, buildings, or other construction activity” and that “survey results shall be valid for the tree removals for 21 days following the survey”. This mitigation measure is inadequate because it has no biological basis. Mr. Dave Johnston ((Environmental Scientist, CA Dept. of Fish and Game, personal communication) recommends that in cases where trees are to be removed or relocated, a nesting bird survey should take place no more than two (2) days prior to any scheduled tree work. Since a bird can build a nest, lay eggs and raise nestlings within the time interval of 21 days, the mitigations proposed to protect birds are inadequate and may result in violation of the Migratory Bird Treaty Act. Thus, it is recommended that all tree work should be done outside of the nesting season. Alternatively, for the duration of tree work during the nesting period, a qualified biologist must inspect each tree no more than two (2) days prior to action. This mitigation should ensure avoidance of incidental “take” of any bird nest that may contain eggs or nestlings.

**Comment 9. Missing analysis and mitigation: Bird Collision with Man Made Structures
C-BR-4 Cumulative Impact on Wildlife Corridors or Nursery Sites (page 3.10-20)**

Millions of migratory and resident birds are killed each year due to collisions with buildings and other man made structure. As general plans for cities along the San Francisco Bay are intensifying permitted building densities and heights (Redwood City, Mountain View, San Jose and more), the cumulative risks of development on the bay to migrating birds should be evaluated. We ask that the EIR address the issue of bird collisions, especially in high-hazard areas such as along migratory routes and salt-water marshes.

While bird collision risks vary depending upon building architecture and site-specific aspects, some general solutions exist that can help mitigate the problem, and some treatments are available to help make structures and windows more visible to birds. Also, night lighting can be adjusted for both bird safety and energy savings. The City of San Francisco has already adopted “Standards for Bird-Safe

Buildings” in July 2011 and a comprehensive and informative report was produced by the American Bird Conservancy. The standards that San Francisco adopted are voluntary in some areas of the city, and mandatory in hazard areas. These standards aim to reduce the number of birds killed by collision and/or by entrapment in plumes of light at night.

Please see:

- <http://sfplanning.org/index.aspx?page=2506>
 - www.abcbirds.org/newsandreports/BirdFriendlyBuildingDesign.pdf
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B. Sierra Club Loma Prieta Chapter Water Committee Facebook Menlo Park Campus EIR Comments

Adequacy of EIR

Overall, the EIR adequately addresses environmental issues related to water. However, there are two major upcoming regional issues and one construction-related impact that we feel must be highlighted with respect to the project.

1. **Sea Level Rise and Stormwater.** Section 3.12 of the EIR acknowledges that the effects of a 16” sea level rise on flooding are potentially significant (page 3.12-25) and a 55” sea-level rise “will require protective measures from sea level rise whether or not the Project is implemented” (page 3.12-28). The project will mitigate for up to 16” of sea level rise in the next 40 years, but the rise could be greater. Predictions of sea-level rise only seem to increase every year and protections at this site are likely to be inadequate sooner than the 40-year time span discussed in the EIR. Given the predictions, the proposed campus is not an ideal site for new development or intensified uses. It will be one of the first locations to be affected by sea-level rise and therefore the City and the project sponsor should make every effort to reduce stormwater runoff to help postpone this inevitable problem. In particular, the East Campus should be retrofitted to decrease storm water runoff to the greatest extent feasible.
2. **Water Supply.** Section 3.16 of the EIR explains that the project relies on SFPUC water and “the SFPUC has a projected shortfall of available water supply to meet its Level of Service goals and contractual obligations” and therefore the City “can anticipate regional supply shortages of varying degrees now and over the next 20 years” (page 3.16-8). Although the EIR concludes the project’s impact on water supply is less than significant based on contractual obligations with the SFPUC, there are open issues on the regional level. Therefore, water use for the project should be of utmost importance. The project sponsor should do more to conserve water by any feasible measures, such as using (or preparing to use) recycled water and implementing the best possible water efficiency measures (maximum points in LEED water efficiency categories).
3. **Construction Dewatering.** The information provided on construction dewatering (page 3.12-32) is insufficient to allow analysis of the impacts. We would like to be notified of any public hearing for a WDR.

Additional Comments

Although the project sponsor is doing much to reduce impacts with this new campus, the campus is in an auto-oriented location that is vulnerable to the impacts of sea-level rise, and therefore they should do more. In addition to any suggestions above, the City of Menlo Park should encourage the project sponsor to do more to reduce water supply and stormwater impacts by:

1. Further reducing water use by installing the most water efficient equipment, using recycled water, and even considering more advanced methods such as rainwater capture.
2. Further reducing storm water runoff by retrofitting the parking lot for the East Campus to decrease impervious surface area, provide more absorbent ground surface (possibly building structured parking), using permeable paving, and even considering more advanced methods such as green roofs.
3. Doing more to clean up contamination and mitigate permeability issues caused by previous activities on the West Campus.
4. Committing to apply for LEED EBOM (operations and maintenance) to insure that water efficiency and other sustainability measures are fully and correctly implemented and evaluated when the campus is operational.

C. Sierra Club Loma Prieta Chapter Transportation Committee Facebook Menlo Park Campus EIR Comments

People intensive companies like Facebook are better located near downtown services to avoid commuting, lunch traffic and other impacts. With development in the wrong place, the right solutions like Priority Development Areas and Conservation Areas are rendered more ineffective. A good public transit system can create jobs, reduce commute time and expenses, and encourage smarter development that gives people more mobility and housing options. In a chain of resilient cities, it could be implemented within the cost of our present dysfunctional transit system. However, a system of shuttles as a standalone patch for successful employment in the flood plains of the regions creeks, that is not accessible to the public, does nothing for a future solution to our problems with Samtrans and Caltrain.

Policy makers in turn see the increased traffic on 101 and allocate billions of inequitable bonds for new roads and band-aid transit, through a Sustainable Communities Strategy, to mitigate congestion making more misguided development like Cargill's Saltworks possible, while admitting backsliding on Green House Gases reduction target.

Intensifying development far from transit runs counter to the struggle to stem the tide of "sprawl" and other economic processes producing ecosystem-wide habitat degradation today, as the DEIR shows. The method of calculating revenue, in the financial analysis, without including the environmental degradation costs is also what has makes it so practically powerful in resisting so many state and federal environmental initiatives for the Clean Air Act and Clean Water Act. This is what results in the unmitigated harms listed in this DEIR.

Transportation Demand Measures (TDM) should be utilized to counter this statement in the DEIR land use section: (Page 28)*There are no feasible mitigation measures that would reduce these emissions.*

Stringent TDM performance measures, from this DEIR process, that would attain local health and habitat goals and allow the planning processes to plug into federal and state plans for restoration should be included. This includes regional bike connections that meet our resilient city connectivity objectives.

The CDP (page 3)

http://www.menlopark.org/departments/pln/facebook/eir/deir/facebook_deir_appendix_1.00_nop.pdf for Facebook should use available Transportation Demand Management tools, like Stanford's TDM under the Santa Clara County CUP (or Bishop Ranch <http://www.sanramon.ca.gov/bcc/tdm.htm>) to

generate goals, policies and programs that allow Facebook to scale the TDM programs it is committing to. The scale should be set at what would attain the air and water quality goals needed to comply with regional targets. The scale should also take this location into account for bike, pedestrian and transit infrastructure, compared to the infrastructure that Stanford and Bishop Ranch benefit from. In other words this suburban location's special circumstances of isolation should be addressed with the relevant TDM strategies, similar to Bishop Ranch. Because of the CAP Stanford has 51% single occupant vehicle rate while the rest of the area is at 82%. Additional build-out with the new campus will result in secondary impacts on transit, bicycle and pedestrian travel (page 30, 34) that will result in additional air quality (page 60) and water quality (page 33, 44) and affordability (page 59) and land-use related wetland damage to Don Edwards National Wildlife Refuge that cannot be mitigated since it repeats and acknowledges the same failed pattern of the pre AB32 past and Menlo Park's Climate Action Plan. Alternate scenario analysis (page 65) should include the scaled TDM to equitably address impacted populations.

This EIR inadequately addresses the heavy human footprint expanded through jobs as new cars, services, and subsequently the now-justified homes expand on the urban fringe, into the Bay. Page 20 of the draft EIR says *"Although the City will work with Caltrans to reduce Project impacts, these impacts would still be significant and unavoidable."*

As discussed in Section 3.5, Transportation, the Project at the East Campus would result in several significant and unavoidable impacts to the levels of service and travel speeds within the City.

The neighborhood and local impacts are significant. Menlo Park had already approved adding another turn lane at Ravenswood, but staff postponed this to wait for the study. This is a good decision because adding the lane would move toward the 6 lane design without looking at the larger picture with the Grand Boulevard Initiative. TDM measures can address these impacts. Improvements to bicycle and pedestrian infrastructure cause reductions to car traffic if other options for auto access are removed. The DEIR, on the other hand, only considers it technically appropriate to address car traffic by adding car lanes and then saying the impacts cannot be mitigated.

Local government can be the solution and should get serious about addressing complete streets. Put in adequate TDM; put in a 20' wide dedicated bike-pedestrian path or convert the freeway access roads into a bike boulevard with diverters to prevent through traffic for autos, like Bryant Street in Palo Alto.

Thank you for considering our comments and suggestions on this Draft EIR.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael Ferreira". The signature is fluid and cursive, with a large initial "M" and "F".

Michael Ferreira, Chair, Conservation Committee
Sierra Club Loma Prieta Chapter